

Atlantic Richfield Company

ENVIRONMENTAL
PROTECTION AGENCY

NOV 7 2003

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November 6, 2003

Mr. Charlie Coleman, 8MO
U.S. EPA Region 8, Montana Office
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Brian Bartkowiak
Montana Dept. of Environmental Quality
Remediation Division
P.O. Box 200901
Helena, MT 59620

SDMS Document ID



851338

Andrew J. Lensink
U.S. EPA Region 8
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Denver, CO 80202

Tom Root
Montana Dept. of Environmental Quality
Remediation Division
P.O. Box 200901
Helena, MT 59620

Re: Conditional Notice of Intent to Comply with Administrative Order for Remedial Action for the Cashman Concentrate Remedial Design Unit, Anaconda Regional Water, Waste and Soils Operable Unit, Anaconda Smelter Superfund Site, EPA Docket No. CERCLA-08-2003-0017

Dear Gentlemen:

Atlantic Richfield Company ("Atlantic Richfield") is in receipt of the above-referenced Unilateral Administrative Order ("UAO") and is providing this Conditional Notice of Intent to Comply with the lawful requirements of the UAO for the Cashman Concentrate Remedial Design Unit, Anaconda Regional Water, Waste and Soils Operable Unit, Anaconda Smelter Site. Atlantic Richfield provides this Conditional Notice of Intent to Comply contingent upon a subsequent conference with EPA and other Potentially Responsible parties for this Remedial Design Unit, to discuss and clarify the UAO's conditions and requirements. Atlantic Richfield will provide a final Notice of Intent to Comply with the UAO to EPA following this upcoming conference and anticipates submitting additional detailed comments concerning the UAO in the formal Notice of Intent to Comply.

Atlantic Richfield looks forward to further discussions concerning the UAO with EPA, and to continuing to work closely with EPA and MDEQ in implementation of the Anaconda Regional Water, Waste and Soils Operable Unit remedy. We suggest the afternoon of Monday, November 10 to meet with EPA under Paragraph XXV, Opportunity to Confer. Atlantic Richfield was unable to contact EPA to request this conference in the timeframe set forth the UAO, within three days after the order was signed, since Atlantic Richfield did not receive the order until October 29 after it was signed by EPA on October 20. Please let us know whether November 10 is a convenient time for EPA to hold a conference concerning the order.



A BP affiliated company

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Sincerely,



Robin J. Bullock

NW Regional Manager

Cc: Steve Ferry
Dan Ferriter
Pam Sbar
Jean Martin